

1  
2  
3  
4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**

6 \* \* \*

7 MARLO THOMAS,  
8 Petitioner,

Case No. 2:17-cv-00475-RFB-MDC

**ORDER**

9 v.

10 JEREMY BEAN, *et al.*,  
11 Respondents.  
12

13 This capital habeas corpus action has been stayed since August 23, 2018. ECF No. 42.  
14 Respondents move to vacate the stay (ECF No. 64) so that they may file a suggestion of death with  
15 an attached email indicating that petitioner, Marlo Thomas, died on January 16, 2025. ECF No.  
16 65. Petitioner's counsel does not oppose the motion. ECF No. 66. Good cause appearing, the court  
17 will grant Respondents' motion. With Mr. Thomas's passing, this action is now moot and will be  
18 dismissed. See Garceau v. Woodford, 399 F.3d 1101 (9th Cir. 2005); see also Griffey v. Lindsey,  
19 349 F.3d 1157 (9th Cir. 2003) (dismissing petition for writ of habeas corpus as moot on account  
20 of the petitioner's death).

21 **IT IS THEREFORE ORDERED** that Respondents' motion to vacate stay (ECF No. 64)  
22 is **GRANTED**. The stay in this case is lifted for the limited purpose of allowing Respondents to  
23 file a suggestion of death for the Petitioner.

24 ///

25 ///

26 ///  
27  
28

**DATED:** April 24, 2025.



**RICHARD F. BOULWARE, II**  
**UNITED STATES DISTRICT JUDGE**